



# LONDON BOROUGH OF BRENT

## MINUTES OF THE PLANNING COMMITTEE Thursday 2 July 2015 at 7.00 pm

PRESENT: Councillors Marquis (Chair), Agha, S Choudhary, A Choudry, Colacicco, Mahmood, Maurice and M Patel

ALSO PRESENT: Councillor Davidson, Councillor Shaw, Councillor Farah and Councillor Mashari

Apologies for absence were received from Councillor Ezeajughi

### 1. **Declarations of personal and prejudicial interests**

Kingsbury Town FC, Townsend Lane

All members of the committee had received an email dated 7 February 2015 from the Silver Jubilee Park Residents Association and another dated 9 February attaching a petition.

141 Walm Lane

Councillor Colacicco declared that she lived within the Mapesbury Conservation Area and would vacate the meeting room upon the application being considered and would take no part in the discussion or voting thereon.

58 Neasden Lane

All members of the committee had received an email from Councillor Hirani.

### 2. **Minutes of the previous meeting**

The minutes of the meeting held on 3 June 2015 had been made available at the members' briefing held prior to the committee and were tabled.

RESOLVED:-

that the minutes of the previous meeting held on 3 June 2015 be approved as an accurate record of the meeting.

### 3. **Alperton Community School, Ealing Road, Wembley, HA0 4PW (case no. 15/1456)**

PROPOSAL: Demolish all buildings on site (except the John Boyle Centre, Children Centre and site managers accommodation) and erection of a four storey 9 form entry secondary school for 1700 pupils (1350 11-16 years old and 350 post 16), together with associated car parking, servicing and circulation space, multi-use games areas and other hard and soft landscaping.

RECOMMENDATIONS: (a) Grant Planning Permission, subject to an appropriate form of Agreement in order to secure the measures set out in the Section 106

Details section of the report, and subject to the conditions set out in the Draft Decision Notice, or

(b) If within a reasonable period the applicant fails to enter into an appropriate agreement in order to meet the policies of the Unitary Development Plan, Core Strategy and Section 106 Planning Obligations Supplementary Planning Document, to delegate authority to the Head of Planning, or other duly authorised person, to refuse planning permission.

Rachel Murrell (Area Planning Manager) outlined the application before the committee. Tahmina Begum, Project Manager and representing the Education Funding Agency, added that the existing school building was in poor condition, poorly configured and contained asbestos.

Members of the committee asked questions concerning the removal of asbestos, the potential overlooking and noise impact on surrounding properties from the plant located on the roof of the proposed building, car parking provision, plans for additional bicycle places if demand required it and the sustainability rating of the building. The officers response to each of these points was accepted by the committee.

DECISION:

- (a) Planning permission granted subject to an appropriate form of Agreement in order to secure the measures set out in the Section 106 Details section of the report and conditions as set out in the Draft Decision Notice;
- (b) If within a reasonable period the applicant fails to enter into an appropriate agreement in order to meet the policies of the Unitary Development Plan, Core Strategy and Section 106 Planning Obligations Supplementary Planning Document, to delegate authority to the Head of Planning, or other duly authorised person, to refuse planning permission.

#### **4. 114 Elms Lane, Wembley, HA0 2NP (case no. 14/3127)**

PROPOSAL: Proposed conversion of 114 Elms Lane into 4 self-contained flats (1 x 3-bed, 2 x 2-bed and 1 x 1-bed), including a lower ground floor basement and alterations to the rear elevation consisting of the installation of new windows and doors, erection of 2-storey side extension and installation of x6 rooflights, demolition of existing lean-to conservatory extension, and the erection on the garden and parking area to the side of 114 Elms Lane of two detached 3-bedroom dwelling houses, formation of a new vehicle crossover onto Elms Lane, off-street parking for 8 cars, secure cycle parking, refuse and recycling bin storage, private and communal amenity space and associated hard and soft landscaping works to the site frontage (as amended).

RECOMMENDATION: Grant planning permission subject to conditions set out in the Draft Decision Notice.

Rachel Murrell (Area Planning Officer) outlined the proposal before the committee.

Judy Bonifant (objector) put forward objections to the proposal based on overlooking, especially given the difference in the gradient of the land, overdevelopment in terms of the creation of 4 flats within 114 Elms Lane, increased noise, traffic and pollution and the need to protect additional trees.

Andrew Keen (objector) stated that the elevated position of 114 Elms Lane made overlooking more sensitive. He submitted that the committee did not have sufficient information on which to make a decision because the impact on neighbouring properties and how this could be mitigated had not been sufficiently covered in the report or at the site visit. He requested deferral of the item to allow the aspects contained in the proposed condition no.13 to be brought back to committee for consideration.

Stuart Rackham (applicant's agent) explained that the proposal before committee was the result of long discussions with planning officers and so the points raised had all been covered and were set out in the report. He noted that the objections were only in regard to the conversion of 114 Elms Lane and not to the two new houses proposed. The relationship between 114 Elms Lane and neighbouring properties was an existing one and the proposed condition no.13 covered this. He indicated he would be happy to expand this condition to ensure the screen planting was of a certain height.

Addressing any potential loss of privacy for adjoining neighbours, members of the committee sought assurances over the provision of obscure glazing, as set out in proposed condition no.6 and the provision of screen planting.

DECISION: Planning permission granted, subject to the conditions set out in the Draft Decision Notice and to the revision of Condition 13(b) to specify a minimum height of planting.

## **5. Kingsbury Town FC, Townsend Lane, London, NW9 7NE (case no. 14/4365)**

PROPOSAL: Alterations and refurbishments of the existing sports ground and clubhouse to include the demolition of the front porch and erection of a single storey toilet extension, new turnstiles, gates and ticket booths, resurfacing of pathway, replacement pitch barriers, retractable covered walkway, players boxes and new covered seating and standing spectator areas around the ground.

RECOMMENDATION: Grant planning permission, subject to the conditions set out in the Draft Decision Notice.

Rachel Murrell (Area Planning Manager) outlined the proposals and referenced the submission of the supplementary information tabled at the meeting.

Marilyn Davies (objector) spoke as a member of the Silver Jubilee Residents Association and submitted that the proposal would result in excessive crowds, more late night activities, more people leaving the premises late at night causing disturbance and light pollution from the flood lights. She also stated that the report did not make reference to the 1991 planning application.

David Privett (objector) stated that the problem of car parking in the area was not accurately reflected in the report. He referred to an increase in poor behaviour by people leaving the premises and promises made by the club to improve the situation not being kept. He also made reference to a recent incident involving Hendon FC players and supporters.

Members of the committee asked questions concerning the experience of local people with football matches that took place during the past season with reference to the number of people attending and the number of cars parking in the area. Marilyn Davies explained that she had reported a case of noise nuisance from the premises to the Council in 2011 but at the time she had not been able to pursue this.

Councillor Davidson stated that he had been contacted by the Silver Jubilee Park Residents Association and was speaking on their behalf. He explained that residents were very concerned that they would be subject to increased noise levels, high levels of traffic into the area, excessive litter, light pollution from the flood lights, the size of the proposed new stand and the impact the development would have on Silver Jubilee park. He questioned the traffic data referred to in the report and criticised the level of resident engagement there had been. He also questioned why it was proposed to provide the ground to Hendon FC when they had no local support and had been associated with recent bad publicity.

Councillor Mashari, (ward councillor) explained that she had spoken to both local residents and the applicant in an effort to reach agreement over the proposals. She questioned the omission of an earlier planning application for Silver Jubilee Park changing rooms when parking for these had been identified on the site in question. She was concerned at the traffic implications and how these might be mitigated. She felt that the level of objection to the proposals needed to be taken very seriously and suggested the item should be deferred to allow further discussions between the applicant and residents.

Robert Morris (applicant) submitted that the proposals represented a great opportunity to regenerate the area and turn the club into a community hub providing sporting facilities for schools, improved facilities for football spectators and other community activities. He stated that Hendon FC had a very small fan base and Edgware even smaller. In answer to questioning from members of the committee, Mr Morris stated that he had tried on a number of occasions to meet with local residents and at a recent public meeting some agreements were reached only for further objections to be raised. He referred to the high level of support from local people for the proposals.

Members of the committee questioned the impact of cars on the area and the plans for managing this. The issue of the flood lights and the overall height of the proposed spectator stand were raised.

**DECISION:** Planning permission granted subject to the conditions set out in the Draft Decision Notice, and to the following additional conditions:

1. Update Condition 6 (Travel Management Plan) to secure the following:
  - Traffic and parking management threshold reduced to attendance exceeding 300;
  - Review of Travel Plan at 6 month intervals for the first 2 years and thereafter the 3rd and 5th years;
  - Provision that timeframe for further review can be revised if deemed appropriate.
2. New condition restricting hours of use of the club as follows:
  - 12 midnight Monday – Saturday
  - 2am Friday – Saturday (restricted to 4 events per year)
  - 10pm Sunday
3. New condition restricting club for hire after 6pm to people who have an association with one of the football clubs only.
4. New condition requiring a 'Local Residents Consultation Forum' to be set up, with details provided on constitution and terms of reference, to meet quarterly.
5. New condition requiring a management plan detailing:
  - Arrangements for litter collection in the vicinity of the site after events held at the club;
  - Details of on-site signage to advise patrons of importance of not littering and leaving premises quietly;
  - Information provided to those hiring the club on these matters.
6. New condition requiring cowls to be installed to existing floodlighting to reduce light pollution before commencement of 2015/2016 football season.

**6. 385 Kilburn High Road, London, NW6 7QE (case no. 15/1295)**

PROPOSAL: Erection of single storey rear extension and 1 roof light to existing roof.

RECOMMENDATION: Grant planning permission subject to the conditions set out in the Draft Decision Notice.

Councillor Shaw (ward councillor) stated that she had been contacted by the objectors and submitted that the proposal was unacceptable because of the impact its height would have in blocking light and the danger that the extension would later be converted into living accommodation. She also referred to possible damage to the garden of 31 Cavendish Close and environmental issues around the operation of a restaurant.

The committee was advised that it would not be possible for a condition to be attached to planning consent restricting the future use of the building because this would be subject to the submission of a planning application but the owner could

be informed of the Council's expectation that no other use of the building should take place without the submission of an appropriate planning application.

DECISION: Planning permission granted subject to the conditions set out in the Draft Decision Notice and an Informative stating that the permission relates to a single storey extension and does not give consent for any changes to the use within the ground floor commercial unit which may need planning permission in its own right.

## **7. 141 Walm Lane, London, NW2 3AU (case no. 15/0697)**

PROPOSAL: Change of use of existing nursing home (Use class C2) to residential (C3) with conversion of the building into six self contained flats (1x 1bed, 3x 2 bed, 1x 3bed and 1x studio flat). To include:

- demolition of existing rear conservatory and rear storage structures and erection of new single storey side/rear extension adjacent to no. 143 Walm Lane;
- removal of existing 1st floor rear fire door and window and replacement with aluminium bifold doors with Juliet balcony
- removal of rear fire escape stairs
- replacement of existing rear dormers and lift shaft with 2 new rear dormers containing timber sash windows and insertion of 1 rear rooflight
- replacement of existing roof tiles with natural slates tiles;
- removal of white paint from frontage
- restoration of original porch front
- replacement of all existing uPVC windows and widows to existing front dormers with double glazed timber sash windows
- setting-back of existing single storey side extension and insertion of non-opening side-hung timber garage doors to frontage and insertion of 1 rooflight
- associated forecourt landscaping and 2 parking spaces
- car-free

RECOMMENDATION: Grant planning permission, subject to the conditions set out in the Draft Decision Notice.

Andy Bates (Area Planning Officer) informed the committee that he had spoken on the telephone to a neighbouring resident about her concerns concerning possible access to the roof of the extension and had assured her that, subject to the Committee's decision, her concerns would be addressed in an additional condition set out in the supplementary report circulated at the meeting.

DECISION: Planning permission granted subject to the conditions set out in the Draft Decision Notice and to the additional conditions set out in the supplementary report.

(Councillor Colacicco left the meeting room during consideration of the above item and took no part in the discussion or voting thereon)

**8. 19 Carlisle Road, Kilburn, London, NW6 6TL (case no. 15/1704)**

PROPOSAL: Erection of rear dormer window, replacement of rear rooflight and installation of a conservation type rooflight to the front roof slope.

RECOMMENDATION: Grant planning permission, subject to the conditions set out in the Draft Decision Notice.

DECISION: Planning permission granted as recommended.

**9. All Flats at Jubilee Heights, Shoot Up Hill, London, NW2 3UQ (case no. 15/0064)**

PROPOSAL: Erection of a 6-storey building comprising 5 x 2 bedroom self-contained flats with roof garden attached to the Jubilee Heights building to also include the removal of existing vehicular access and cross over off Shoot Up Hill and installation of new pedestrian gates, railing and brick piers with access from Exeter Road.

RECOMMENDATION: Grant planning permission subject to the completion of a satisfactory Section 106 or other legal agreement and delegate authority to the Head of Planning or other duly authorised person to agree the exact terms thereof on advice from the Chief Legal Officer, subject to the conditions set out in the Draft Decision Notice.

Andy Bates (Area Planning Manager) outlined the proposal and referenced the supplementary report tabled at the meeting. He pointed out that an additional condition was being recommended to widen the access road.

Lucy Gardner (objector) stated that the proposal amounted to a new building rather than provide any complementary extension to Jubilee Heights. She explained how her designated parking place had been removed and suggested that the report did not adequately explain the implications of access for car parking for 96 flats. The use of the padlocked gate was clarified.

O Sowunmi (objector) stated that the capacity for vehicular access to Jubilee Heights was being halved for the sake of an additional 5 flats. Access to the flats by fire engines was questioned. It was pointed out that most of the buildings in Shoot Up Hill had direct access on to the road. Rearranged waste disposal facilities meant there was less space for car parking and a lack of space for further redevelopment.

Duncan Chadwick (agent) stated that his client had bought the site with the benefit of 5 car parking spaces. The proposal was for much needed housing accommodation and should be seen in the context of the planning history of the site which had seen incremental development over the years. He claimed that the proposal was in accordance with the Council's Unitary Development Plan and so should be approved.

Members of the committee were advised that the issue of the provision of designated parking spaces to existing leaseholders and arrangements for refuse collection were not planning considerations as they did not relate to the planning application that was being determined and residents needed to take these matters up with the freeholder. Members asked questions concerning vehicular access to the site, the provision of amenity space and the potential for overdevelopment of the site if planning permission was granted. Concern was expressed around the incremental increase in residential density on the site and the access to the site, especially for emergency vehicles.

DECISION: Deferred to allow officers to report to a future meeting of the committee addressing reasons to support the Committee being minded to refuse the application due to an unacceptable increase in residential density and massing of buildings and inadequate vehicular access/egress in and out of the site.

In accordance with paragraph 40 of the Planning Code of Practice voting on the above decision was recorded as follows:

FOR: Councillors Marquis, Colacicco, Choudhary, Choudry, Mahmood, Maurice and M Patel

AGAINST: none

ABSTAIN: Councillor Agha

**10. 24-51 inc, John Barker Court, 12-14 Brondesbury Park, Kilburn, London, NW6 7BW (case no. 15/1539)**

PROPOSAL: Change of use of existing flats at 24-51, John Barker Court, into a hostel (Use class Sui Generis) for a temporary period of 1 year

RECOMMENDATION: Grant planning permission subject to the conditions set out in the Draft Decision Notice.

Andy Bates (Area Planning Manager) introduced the item and referenced the supplementary report tabled at the meeting.

Qyem Noor (objector) submitted that the proposal would have a significant detrimental impact on his family and neighbours particularly around the potential for an increase in anti social behaviour. He expressed surprise that the proposal had reached the stage of being reported to committee without him being informed about it. It was suggested that not all the occupiers of Alan Preece Court had been consulted.

Rob Churm (objector) spoke in his capacity as chair of the Brondesbury Park Action Group. He tabled a paper outlining his objections to the proposal. He questioned the consultation carried out and claimed the report contained factually incorrect information and omitted other important information. He submitted that the building contained asbestos, was a fire risk and presented a risk of legionella.



Councillor Shaw (ward councillor) submitted that the secluded nature of the building presented opportunity for the sort of bad behaviour that might be associated with such a hostel. She claimed that residents of Alan Preece Court had not been consulted. She questioned why the previous occupiers of the property had been required to leave because of the faulty boiler and yet it was now proposed that homeless families take occupation. There were significant health and safety concerns and the costs to address these would undercut the financial viability of the proposal. She asked that the application be refused.

Councillor Davidson (ward councillor) stated that he had been in contact with the Brondesbury Park Action Group and that there were a wide range of objections to the proposal. He claimed the consultation was flawed, there were car parking issues and the claim in the report that the proposal would result in the Council saving £75,000 was erroneous given the money that needed to be spent on the property to make it habitable. He asked that the application be rejected.

Zaheer Iqbal (for the applicant) stated that lettings to the property would be managed sensitively and that the proposed management arrangements and provision of cctv suggested that there would not be issues of anti social behaviour associated with the proposal. He re-iterated the level of saving to the Council and submitted that the proposal would make a valuable contribution to housing vulnerable Brent families.

In answer to questions from members of the committee, Mr Iqbal confirmed that the property would be habitable and would offer better standards than some bed and breakfast accommodation. There would be a maximum residency of 52 minus a void ratio of 10-15% and £40,000 had been put aside for works to the boiler.

Members were concerned that the access route to the property should be controlled and whilst provision for signage was a condition set out in the supplementary report it was agreed that a requirement only to use the main entrance to the building could be included in the leasing arrangements.

DECISION: Permission granted subject to the conditions set out in the Draft Decision Notice and contained in the supplementary report and to an additional Informative that the lease/licence of future residents to include that they must access the building from around the side of the existing frontage building.

**11. 58 Neasden Lane, London, NW10 2UJ (case no. 14/1544)**

PROPOSAL: Partial demolition and change of use of the retained building from light industrial (Use Class B1) to 69 room hotel (Use class C1), including ancillary restaurant, 11 car-parking spaces, 1 coach parking bay, 1 taxi bay, 1 servicing bay, 14 cycle parking spaces and associated landscaping, alterations to windows, metal railing and fire escape stairs.

RECOMMENDATION: Refusal, subject to the conditions set out in the Draft Decision Notice.

In accordance with the Planning Code of Practice, Councillors Chohan, Joshua Murray and Wilhelmina Mitchell Murray had requested that this application be considered by the Planning Committee.

Andy Bates introduced the item and referenced the supplementary report tabled at the meeting.

Hamza Ali (agent) stated that it had not been possible to let the premises for its existing use class because there was no demand for such premises. No other planning issues had been raised regarding the proposed development and it had the support of local ward councillors. He stated that a demand existed for a hotel in the area and it would provide 25-30 jobs.

Members of the committee sought re-assurance of the potential for a hotel in the location and clarified the efforts made to let the site for its current use. Notwithstanding the policy considerations for protecting a locally significant employment site and the location of a hotel on the site, members were minded to approve the application on the basis of securing regeneration of the site and providing employment.

DECISION: Deferred to allow officers to report to a future meeting of the committee addressing the implications of the committee being minded to approve the application contrary to policy.

In accordance with paragraph 40 of the Planning Code of Practice, voting on the above decision was recorded as follows:

FOR: Councillors Marquis, Colacicco, Choudhary, Choudry, Mahmood, Maurice and M Patel

AGAINST: none

ABSTAIN: Councillor Agha

## **12. Any Other Urgent Business**

None.

The meeting closed at 11.55 pm

S MARQUIS  
Chair